5244140/2021/VIG-III-MAU01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - MA&UD Department – Disciplinary Proceedings initiated against Sri N.L.S.Rama Rao, the then Manager(Now retired), Kavali Municipality, SPSR Nellore District under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 for committing irregularities in DWACUA revolving funds and sale registration of IDSMT plots in the Kavali Municipality - Enquiry conducted - Penalty of 2.67% cut in pension permanently imposed - Orders issued - Appeal filed against the penalty - Appeal allowed - Punishment modified to that of 2.67% cut pension for a period of one year - Orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.III) DEPARTMENT

G.O.Rt.No.609 Dated:03.11.2021.

Read the following:-

1. From the G.A. (V&E) Department, Vigilance Report No.62 (729/V&E/D1/2006), dated.02.05.2008.
2. G.O.Rt.No.671, MA&UD (E1) Department, dated.04.05.2009.
3. G.O.Rt.No.209, MA&UD (Vig.II) Department, dated.04.07.2018.
4. Appeal petition of Sri N.L.S.Rama Rao, the then Manager (Retd), Kavali Municipality, Nellore District, dated.31.07.2018 & 18.09.2020.

-oOo

O R D E R:

Whereas, based on the V&E Report in the reference 1st read above, Government initiated departmental action against Sri N.L.S.Rama Rao, the then Manager (Retd), Kavali Municipality, SPSR Nellore District by issuing Articles of Charges against him for his failure in monitoring the implementation of IDSMT Scheme from time to time properly and diversion of funds without proper permission from the competent authority in the Kavali Municipality vide reference 2nd read above.

2. Government after following due procedure, issued orders in the G.O. 3rd read above, imposing a major penalty of "2.67% cut in pension permanently" against Sri N.L.S.Rama Rao, the then Manager, Kavali Municipality, SPSR Nellore District.

3. In reference 4th read above, Sri N.L.S.Rama Rao, former Accountant, Kavali Municipality, Retired Manager, Repalle Municipality has filed an appeal before the Government. Among others, he has stated that as per instructions of superiors and permission from the Council there is no misappropriation of municipal funds, but it is only a temporary diversion of IDSMT funds for developmental activities under the guidance of Engineering Wing/Commissioner. He mentioned that the Inquiry has been conducted for a long time against to the time stipulated by the government; during this period he deprived for two promotions in a biased manner though the similar situated persons were given promotion; he suffered a lot both financially and mentally due to non-settlement of pensionary benefits; cut in pension was much more and requested to with draw the punishment imposed against him, keeping in view the dropping of further action against the three officers, since the allegations were same and the dropping penalty against for higher officials while non-withdrawal of punishment against him as subordinate is injustice and therefore requested the Government, to consider his appeal and exonerate him from the charges.

Contd...2

4. Government have examined the appeal petition of Sri N.L.S. Rama Rao, the then Manager and observed that the Inquiring Authority found that the funds released for specific purpose can not be utilized for general purposes despite the resolution of the Municipal Council, since the resolution is irregular. The resolutions of municipal council, Kavali to divert the IDSMT funds are irregular and the officials who worked during the said period should have brought them to the notice of the District Collector to suspend the C.Rs. under Section 70 of the A.P.M.Act, 1965 or to the notice of the Government to cancel the resolutions under Section 59 of the A.P.M.Act, 1965. It is one of the responsibilities of Manager. Though the funds were recouped, diversion of specific funds to other funds are against to the Municipal Act, as found in the Inquiry. However, in view of the withdrawal of punishment against the three officers, it was decided to take a lenient view by modifying the punishment of cut @ 2.67% in pension for a period of cut in pension instead of permanently against Sri NLS Rama Rao, Manager (Retired).

5. Accordingly, Government hereby modify the punishment of cut @2.67% in pension permanently as ordered in G.O. 3rd read above to that of cut @2.67% in pension for a period of one year against Sri N.L.S.Rama Rao, the then Manager Kavali Municipality.

6. Accordingly, the appeal petition of Sri N.L.S.Rama Rao, the then Manager Kavali Municipality is disposed of.

7. The Director of Municipal Administration, A.P., Guntur shall take further necessary action in the matter, accordingly.

8. The receipt of G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y.SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Sri N.L.S.Rama Rao, the then Managaer (Retd), Kavali Municipality - through the C&DMA., A.P., Guntur.
The Commissioner & Director of Municipal Administration, A.P., Guntur.
Copy to:
The General Administration (V&E) Department, A.P., Vijayawada.
The Secretary to A.P.V.C., 5th Block, A.P. Secretariat, Velagapudi.
The Municipal Commissioner, Kavali Municipality, SPSR Nellore District.
SF/SCs

// FORWARDED :: BY ORDER //

SECTION OFFICER